

## MIYOKO NAKAGAWA

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 3275]

The Committee on the Judiciary, to which was referred the bill (H. R. 3275) for the relief of Miyoko Nakagawa, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to enable the Japanese fiancée of a United States citizen veteran to enter the United States for the purpose of marrying her citizen fiancé and to thereafter reside in the United States.

#### STATEMENT OF FACTS

The beneficiary of the bill is a native and citizen of Japan and she is engaged to Hiroaki Hosokawa, a United States citizen veteran of World War II. They met while Mr. Hosokawa was on duty in Japan.

A letter dated February 21, 1952, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 21, 1952

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 3275) for the relief of Miyoko Nakagawa, an alien. The bill would waive the racial restrictions on immigration in the case of Miyoko Nakagawa, the Japanese fiancée of Hiroaki Hosokawa, a United States citizen and veteran of World War II, and would enable her to enter the United States as a nonimmigrant temporary visitor for a period of 3 months for the purpose of being married to Mr. Hosokawa.

The files of the Immigration and Naturalization Service of this Department disclose that Miss Nakagawa is a native and citizen of Japan. The place and date of her birth are not known. She is at present residing in Japan with her mother and brothers, never having entered the United States.

The alien's fiancé, Mr. Hosokawa, stated that he is a native and citizen of the United States of the Japanese race. He was born in Eatonville, Wash., on April 11, 1925, of parents of the Japanese race both of whom are citizens of Japan. He has lived in the United States since his birth, with the exception of a period while in the service of the United States Government in Japan, and has received his education in this country. He is at present attending the University of Washington under the provisions of the Servicemen's Readjustment Act of 1944, as amended. He served as an enlisted man in the United States Army from April 1944 to June 1946, when he was honorably discharged. Thereafter he served in a civilian capacity with the United States Army from July 1946 to November 1949, in Japan, where he met Miss Nakagawa who was at that time also employed by the United States Army. He appears to be financially able to support Miss Nakagawa in the event she is allowed to enter the United States.

Being of the Japanese race, Miss Nakagawa is ineligible for citizenship under the provisions of section 303 of the Nationality Act of 1940 and is therefore inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special legislation she will be unable to enter the United States for permanent residence.

Whether, under the circumstances of this case, the general provisions of the immigration laws should be waived presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Sincerely,

A. DEVITT VANECH,  
*Deputy Attorney General.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3275) should be enacted.

